

**IN THE U.S. DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

APPLE INC.,

*Plaintiff,*

v.

MASIMO CORPORATION and  
SOUND UNITED, LLC,

*Defendants.*

**REDACTED - PUBLIC VERSION**

C.A. No. 1:22-cv-01377-MN

**DECLARATION OF BRIAN HORNE IN SUPPORT OF  
DEFENDANT SOUND UNITED, LLC'S  
MOTION TO DISMISS**

I, Brian Horne, declare as follows:

1. I am a partner with the law firm of Knobbe, Martens, Olson & Bear, LLP, counsel of record for Defendants Masimo Corporation and Sound United, LLC in the above-captioned matter. I have personal knowledge of the matters set forth herein and if I am called upon to testify, I could and would testify competently thereto.

2. Attached hereto as **Exhibit 1** is a true and correct copy of Defendants Masimo Corporation and Sound United, LLC's response to Apple, Inc.'s Interrogatory No. 1.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on January 24, 2023 in Irvine, California.

/s/ Brian C. Horne

Brian C. Horne

**CERTIFICATE OF SERVICE**

I, Megan C. Haney, hereby certify that on January 24, 2023, a copy of the Declaration of Brian Horne in Support of Defendant Sound United, LLC's Motion to Dismiss was served on the following in the manner indicated below:

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